

UNITED STATES DISTRICT COURT

for the

Western District of VirginiaCLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

MAR 25 2008

JOHN F. CONGOREN, CLERK
BY:  DEPUTY CLERK

United States of America)

v.)

Johnny L. Venable III)

Case No: 4:05CR00006-001USM No: 11348-084Date of Previous Judgment: December 8, 2006

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 104* months is reduced to 96 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23Amended Offense Level: 21Criminal History Category: VCriminal History Category: VPrevious Guideline Range: 84 to 105 monthsAmended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

The 96 months includes 36 months for the cocaine conviction (reduced from 44 months), and 60 months on the 924(c) count.

Except as provided above, all provisions of the judgment dated 12/8/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-25-08

Effective Date: 3/3/08 4-7-08
 (if different from order date)



Judge's signature

Jackson Kiser, Senior United States District Judge

Printed name and title